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February 27, 2004

Office of the Secretary
Federal Communications Commission
445 Twelfth St., SW, TW-325
Washington, D.C. 20554

Re: Maritel Ex Parte Notice of 2/13/04 (DA 04-378) (RM-10821)

We have previously filed comments on the petition of Maritel regarding their request to restrict usage of the information generated by shipboard AIS equipment. We have since become aware of Maritel's letter of February 12, 2004 to the Deputy Chief of the Wireless Telecommunications Bureau captioned "Evolution of Maritime VHF Data Services Requires FCC Action" and wish to extend our comments.

We do not believe that the evolution of information technology within the maritime transportation system in which AIS will play a significant role requires action by the FCC to grant Maritel monopoly power over the future of AIS generated information within digital information exchange systems. Such systems are and have been developing over the years in an open environment that encourages innovation and flexibility. The introduction of AIS on a universal basis adds a new dimension that is already leading to AIS information being incorporated into existing and contemplated systems maintained by pilot associations and port interests in New York, Pennsylvania, Delaware, Maryland, Virginia, Florida, Texas, California, Oregon and Alaska. These systems have diverse and evolving specifications that match the capabilities of an emerging technology with unique local conditions and needs.

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The discussion and exhibit in the Maritel letter concerning maritime data services in Norway illustrates several points. First, Maritel states that its *“network design and implementation could possibly differ from that in Norway”*. The statement implies a static concept of Maritel’s choice based on its business model. This presents the danger of forcing inappropriate or unwanted concepts on local users. At this stage in the development of maritime information systems the situation is very dynamic and any movement toward rigidity should be viewed as undesirable. Second, the Norwegian system used as an example is extremely rudimentary and far more sophisticated systems could be found closer to home in Tampa Bay, the Delaware River or the Chesapeake Bay. The European project to develop a maritime data information system (the IPPA Project in which the Norwegian Coastal Administration is a participant) has been spearheaded by a group of European maritime pilots now funded by a grant from the EU that received their initial introduction and training in the subject at our training facility the Maritime Institute of Technology and Graduate Studies (MITAGS). From both a technical viewpoint and from actual systems in place and experienced gained the U.S. Coast Guard and U.S. pilot associations are far ahead of their counterparts in Europe. Maritel’s use of the Norwegian example would indicate a lack of in-depth knowledge of what is actually happening in the world of maritime information exchange technology.

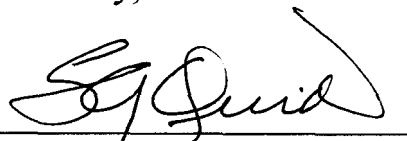
The Maritel letter is highly critical of the U.S. Coast Guard for not supporting their desired goal to dominate non-USCG use of AIS information. It should be recognized that the U.S. Coast Guard is at the forefront of a worldwide movement to develop and implement AIS based VTS and VTIS. The U.S. Coast Guard working in conjunction with local users and pilot associations has placed in operation the first operational AIS based VTS in the world in the lower Mississippi River serving the port of New Orleans. It is the prototype for systems being designed or constructed in Europe and other areas for new installations or to replace older systems based on radar tracking and voice communications. The U.S. Coast Guard has accumulated a great deal of expertise over the years with VTS and VTIS and their interaction with the maritime data information requirements or resources of user groups and pilot associations. The U.S. Coast Guard position in opposition to the Maritel proposal is a sound one based on

experience and expert knowledge of the subject matter. We fully support the U.S. Coast Guard position.

We have limited our discussion above to very general statements and have not attempted to define how present or future open and freely accessible maritime information systems can or do operate in any detail. This is not because of any lack of imagination or that workable concepts don't exist. Reviewing the systems presently operated by pilot associations in Tampa Bay, the Delaware River and Maryland would reveal what the first phases would look like and they are very impressive. But, to describe their present operation in detail and project where they might go in the future would risk becoming bogged down in pages of technical detail and miss the point of this comment.

If detailed information is desired please contact us and we will furnish contact information.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. Quick", written over a horizontal line.

George A. Quick, Vice President
MM&P

cc: Qualex International
Maria Ringold, FCC
Tim Maguire, FCC
Jeffrey Tobias, FCC